

LGBTI immigrants in Italy and asylum rights: between unvoiced needs, discriminations and lack of recognition

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Abstract: The present paper aims at underlining how Western countries help outline the debate on gender differences, through a perspective which, more often than not, shows a certain degree of ethnocentrism given its inability to take into consideration alternative models emerging in other contexts – particularly those with an Islamic tradition. This aspect has been highlighted by the results of a research on the problems posed by the asylum right recognition process to LGBTI foreigners in the host countries. It draws attention to the agreement to a Western gay lifestyle model far from simple and unquestioningly accepted by LGBTI migrants

Keywords: ethnocentrism, LGBTI immigrants, sexual orientation, asylum rights.

1. Introduction

The present work is based on the early results of an ongoing wider research on foreign LGBTI citizens in our country, among which those applying for asylum for reasons related to their sexual orientation, examining some of the ways in which Western countries help outline the debate on gender differences. This debate often reveals a certain amount of ethnocentrism and an inability by Western countries to take into account alternative models stemming from other contexts, often considered as “backwards” with regards to women's rights and the plight of LGBTI individuals.

As an example, we can consider Muslim countries. Since the beginning of the 90s, and even more after September eleven, the discourse on women and Islam is at first place in the policies of both Muslim and Western countries (Benhabib, 2005). Plans for international cooperation, as well as armed interventions, find their justification in the defence of human rights, and women rights in particular (*ibid.*). The interest in these issues also found new impetus as a result of the intensification of migration

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from the South of the Mediterranean to Northern Europe and the United States. Foreigners from countries with different cultural and religious traditions, introduce gender identity practices that pose many a dilemma to Western countries. Theorists of universal human rights and cultural relativism argue over what should be the rights guaranteed, for example, to Muslim women (Zahra, 2012). The former accuse the latter of sacrificing women to patriarchal subjugation in the name of defending cultural traditions and the plurality of cultures. Defenders of cultural relativism respond to criticism by arguing that the concept of equality with which the women issue was generally addressed is the result of an idea of rights formed around a subject far from sexless, neutral, with neither colour nor social membership (ibid.).

Within this broad debate, in which the persons concerned are too often excluded, a new perspective trying to reconcile Islamic values and feminist issues is emerging both in Muslim countries and within the Islamic diaspora (Moghadam, 2004). It is argued that the emancipation of women should not necessarily be realized by abandoning their culture in favour of Western values and a specific idea of universal women's rights: some institutions or roles that appear to be forms of oppression or discrimination, such as wearing the *hijab*, may instead be identity forms and practices able to increase the power of women in their communities or families (Mir-Hosseini, 2006).

The same can be said for homosexuality which, being criminally relevant in some states, has become an emblem of the closure of the Islamic world towards gender diversity. Migrants who share this ethnic, national, and religious origin are considered as carriers of this homophobic conservatism, which translates in terms of internalized homophobia. The task of the host society is thus to raise awareness in these immigrants by imposing a moral contract that will lead them to accept “common values” based on the rejection of homophobia, sexism, and the patriarchal culture identified in these nationalities (Roy, 2012).

As Scott Siraj al-Haqq Kugle points out in “Homosexuality in Islam” (2010), all this ignores those movements that, within both the Islamic and Western societies, by means of re-reading of sacred texts – especially the Koran and the *hadiths* (prophetic traditions) – demonstrate that Islam, contrary to what we may think, recognizes and

supports gender equality, stressing how over the centuries a small male elite imposed distorted interpretations of sacred texts and sustained patriarchy in the name of the Koran.

The persistence of this ethnocentrism in the way in which Arab countries approach gender identity issues is not without practical consequences. It is to such logic that we may be partly attribute, for example, the obstacles encountered by asylum seekers – especially those coming from Muslim countries – to obtain refugee status in the European countries because they are persecuted in their country of origin for their sexual orientation. The following chapters, therefore, after discussing the theoretical issues of gender diversity in migration studies, aim to ascertain, through interviews to LGBTI associations workers and UNHCR professionals, whether the system providing protection to LGBTI foreigners for their sexual orientation, is not only a form of protection but also a tool for reproducing stereotyped visions of the LGBTI migrants' country's culture and their sexual orientation.

2. Non-normative sexual orientation in migration studies

Queer theory, being a field of study born within post-structuralist schools focusing on the deconstruction of gender and sexual identity, only occasionally addressed the question of ethnic and racial differences (Roy, 2012). The first feminist writings were reproached the fact that they reflect the experience and concerns of white women of North American society (Collins, 1990) – particularly those belonging to the most privileged social classes; and queer theory is similarly called upon today to consider the experiences of women and men from other parts of the world, whose starting social and cultural conditions cannot be assimilated into a single universal LGBTI condition. This not only includes, as per the acronym, a complex of scarcely overlapping sexual identities, but also a set of different individuals, some of which, such as migrants for example, refer to a different culture, as different are the social conditions they experience in the host country².

2 About the acronym LGBT – used as a collective term to refer to Lesbian, Gay, Bisexual and Transgender people – Corbisiero states that (2013: 28): «Given the polysemy of the word, talking about 'gay community' or 'LGBT community' imposes some semantic choices not related to homogenization and generalizing traits, as scientific analysis often requires. The very acronym LGBT has recently been enriched with several variants,

The lack of recognition of the importance of ethnic and racial differences is clear not only in the early writings dealing with the topic of the social construction of homosexuality, such as those of McIntosh (1968), who develops the notion of “gay role” trying to explain it in terms of labelling and social expectations that take different forms depending on the socio-historical context in which gay people conform themselves, but also in the more recent studies, for example those of Butler (2006), who while highlighting how the discursive construction of sexual and gender categories tends to disguise the impact of other factors, nevertheless does not discuss in his studies of the most important processes of racial, ethnic, and class subjectivation (Roy, 2012). Therefore queer theory, as previous women studies, refers to the social vision of dominant classes and describes the condition of subjectivity that reflects the “Western” model, and thus according to some scholars it is not adequate to grasp the path of migrant sexual minorities (Eng *et al.*, 2005; Manalansan, 2003).

In terms of migration studies the issue of sexuality and more specifically of “other” sexual orientations has been even more marginal, as if sexuality is not part of the processes and dynamics associated with migration processes, and as if these do not in turn influence sexuality.

Recently the issue of sexuality has been the focus of interest for both researchers on migration and the political agenda of Western States, although with an “heteronormative” emphasis by which sexuality is analysed in terms of reproductive health, without considering “other” sexual identities unable to fit under that label. Understanding the reasons behind this recent interest, undoubtedly an important role has been played by the exponential rise in the last twenty years in women migration – such as the case of women Eastern Europe, the Balkans, and before that from Latin America – increasingly involved in migration flows towards Western countries (Tognetti Bordogna, 2012). Indeed, they led to an increase in the demographic balance of industrialized nations whose birth rates were plummeting, as shown by the growing attention paid by the governments of these countries to protection services

ranging from the change in position between lesbians and gay men with GBT (...) to other yet which provide for the addition of a letter and, consequently, of a category: LGBTQ for Queer (...) LGBTI for Intersex».

for both migrant mothers and their underage children. However, there is no reference in the literature on non-normative sexuality.

According to the vision that ultimately prevailed, heterosexuality is characterized not as an alternative between possible sexual orientations, but as the ideal biological and social condition, as well as an assumed truism given which sexual orientation and gender identity are not believed to be reasons why an individual chooses to migrate. Also in terms of collective consciousness, the foreigner's sexuality has often been described with a moralistic emphasis – think about the media coverage on the issue of prostitution, particularly transsexual prostitution – or a criminalizing one, in which the foreigner is often described with metaphors drawn from the colonial past or worse as a carrier of STDs. Love understood as sexual pleasure still remain an unexplored area for migration studies, this being an area of research in which vulnerabilities are often read through emergencies posed by security issues, citizenship statuses, at most ethnic and social rights, rather than through issues analysing the status of foreigners in terms of individuality and complex needs, which may include desires related to the expression of gender identity and non-normative sexual orientation (Masullo, 2015).

3. Living homosexuality elsewhere: studies on the experiences of LGBTI migrants

The intensification of migration promoted new branches of research within feminist and queer theory which by introducing the tools offered by post-colonial³ studies, analyse the condition of foreigners, in particular the issues raised by gender identity and sexual orientation as dimensions through which new forms of power and subjugation are expressed both in the countries of origin and those of immigration (Lengermann, Niebrugge, 2014). Some of these studies take into account the experiences of LGBTI people, including those who migrate to another country as

3 In this context, a group of scholars from the former colonies affirms the importance of studying colonialism in order to understand the present, starting from acknowledging the power relations that still exist between the West and the so-called 'Third World'. The basic assumption is as follows: if it is true that all women experience oppression similarly on the basis of their gender (from a patriarchal system considered as the most basic social model of domination), at the same time they are also oppressed differently depending on the world where gender and other sources of social inequality – such as social class, race, dwelling place, and, last but not least, sexual preferences – are combined (Hill, Collins, 1990).

persecuted or unable to live their sexual orientation in their country of origin (Cantù 2009; Luibhéid, Cantù, 2005).

While respecting the diversity of social and cultural geopolitical contexts in which these studies come to life, as well as the differences related to the various approaches – these being not only sociological studies, but also political science, historical and philosophical/literary ones – we can synthetically distinguish them between:

- Studies analysing the reasons that led to a climate of intolerance towards homosexuals in the contexts of origin, reasons which are partly attributable to colonial legacies and global inequalities;
- Studies – intersectional perspective – highlighting that in the host countries non-normative sexual orientation could, in addition to the racial factor, become another reason for social discrimination.

Among the latter researches are those taking into account the various lifestyles and ways of expressing one's sexuality – both according the culture of the country of origin and that of the host country – analyse this factor as one of the indicators of the quality of inter-ethnic relations within the LGBTI community.

Of the former type are for example those researches highlighting the reasons behind the repression spirit existing in these countries against non-normative sexual orientation. To this branch of research belong, for example, the studies by Scott Siraj Al-Haqq Kugle (2013), as well as the study of Khaled El-Rouayheb, (2005) who in his book “Before homosexuality” – in tracing the reasons for the supposed incompatibility between homosexuality and the Arab Muslim world – describes through a re-reading of history the tolerance and openness of the pre-modern Arab-Muslim world to gender diversity and non-normative sexual orientation, then lost as a result of colonial domination policies.

The study by Joseph Massad (2007) reaches the same conclusion, but with even more critical tones. In his book “Desiring Arabs” he develops a systematic, cross-century analysis not of spiritual traditions, but of literature and poetry in the Arab-Muslim world, novels and medicine essays. Massad's analysis of the evolution of sexual identities and policies in the Arab-Muslim world is deeply critical of what he calls the “international

gay lobby”⁴. According to this author since the 80s, but especially during the 90s, the *international gay*, echoing the American neo-colonialist policy, would “spur the discourse on sexuality” (it is no coincidence that the author uses the expression developed by Foucault in his book *The History of Sexuality*) aiming to categorize and distinguish sexual identities which until then had been fairly indefinite in Arab countries. In reaction to this “mission” of “liberation” and “modernization” policies and ideologies opposed to “deviant” sexuality and sexual practices, such as sodomy, have become more repressive. According to this scholar the current repression against homosexuals in these countries is seen as the effect of reproduction on a global scale of the cause of “Western” homosexuals⁵.

In fact even before these recent publications, McClintock (1995) showed that the spirit of hostility towards homosexuality in these countries was a colonial legacy, dating back to an excessive concern recorded among European countries between the XIX and XX century, for eugenic issues – including those of the contamination between races and diseases infection – fuelled by racial classification, the medical profession, and the newly emerging middle class. Among the categories classified as “dangerous” at the time were: homosexuals, the poor, Jews, Irish, feminists, prostitutes, the mentally ill and criminals. Eugenic concerns spread not only in European societies, but also in their colonial empires, as in Asia and Africa. According to Gupta (2008) laws that criminalized, for example, sodomy, the eunuchs (or *hijras*)⁶ and vagrancy supported in these situations the very reorganization of colonial societies.

Back to recent times, despite having gained independence, some of the former colonies, in Asia and in the African continent, have reinforced the social order precisely through a discourse that partially recovers these concerns, based on “family values”, the promotion of monogamous heterosexual marriage, and in particular the criminalization of

4 This term includes associations for the defence of LGBTI rights, NGOs dealing with the defence of human rights and the Western scientific societies engaged in supporting these causes.

5 For a more detailed analysis of the texts, see also Rebutini (2014).

6 Particularly peculiar is the condition of “eunuchs”, a term employed in Europe and Asia for unmarried castrated males with a specific role in society. However, during the colonial era, the term assumed a “negative” meaning associated with sexual perversion. In India, the term *hijra* was used by the colonial regime in order to describe, classify, and control non-normative genders sexualities (Dutta, 2012). The word *hijra* was recently recovered as designating a third gender or transgender group that resists Western definition of sexual dimorphism (ibid).

non-normative sexuality and gender identity. This highlights the attempt of these States to distance themselves their previous colonial powers, and in particular from a “Western” culture that would undermine the myths and values of the original cultures (Ekine, 2013).

Other studies, as mentioned above, focused instead on the plight of LGBTI migrants in Western countries, in particular taking into consideration gender identity and sexual orientation as grounds for legal migration (Magnarin, 2013).

Specific research areas begin to develop, such as *black queer studies* and *queer diasporas*, today called simply *queer migration studies* (Eng, et al. 2005). These studies have as their core interest the management of a doubly stigmatized identity within the migration contexts, leveraging on an idea of self that overcomes binary logics: black/white, male/female, homosexual/heterosexual.

Overcoming a vision that sees the country of immigration as a context in which the foreigner is free to live his sexual orientation, these scholars suggest to consider instead LGBTI foreigners as subjects moving in a context where normative references are shorn of spacial references, where LGBTI migrants attempt to reconcile visions of homosexuality typical of their original contexts, and the opportunities offered by the gay milieu in Western countries. Some studies indeed show that LGBTI people manifest a conflictual belonging to at least three communities: the host society, the ethno-cultural community and the LGBTI community, whose norms, values, and beliefs related to sexuality diverge (Morales 1990, Espin 1997).

As said above, the concept of “intersectionality” is paramount, providing insight into the identity in all its aspects (Marchetti, 2013). This transdisciplinary theory considers the complexity of identity and social inequalities through an integrated approach that refuses to consider individual factors of social differentiation, but rather takes into account the interaction of multiple systems of oppression that can produce and reproduce social inequalities (Bilge, 2009). Through the conjunction of different categories, such as that of gender, race, or class – rather than considering them as distinctive categories of oppression – the concept of “intersectionality” allows to analyse the experiences of LGBTI individuals in countries of immigration from their placement with respect to different areas of domination and oppression, and their combination.

Intersectional analysis proved to be very fruitful, for example, to grasp the attitude of foreign LGBTI individuals compared to the practice of coming out – a crucial step underpinning the homosexual model in Western countries. According to Chbat (2011) the homosexuality is perceived within the host society influences the manner through which LGBTI immigrants adopt or not this identity. In fact there are different ways of expressing oneself as homosexual, as well as different forms of non-normative sexuality, that are experienced differently according to factors such as status, financial situation, representations of homosexuality, etc. (Acosta, 2008).

As shown by Berg and Millbank (2009), coming out, beyond what one may think, is not a single moment, but rather a process, «an activity that is continually repeated over time to a multitude of people in different contexts, with varying meaning and effects» (ibid: 215). Indeed according to Lee and Brotman (2011) we do not sufficiently take into account the many reasons why, for example, LGBTI migrants may choose to hide their gender identity, as it often happens for those applying for asylum, who faced with the commissions called upon to assess their stories appear reluctant to call themselves “homosexuals”. This statement has to be repeated to border officers, airport authorities, or lawyers, doctors, psychologists, volunteers. They are constantly exposed to homophobia, transphobia, with each of the institutions they come into contact with throughout the process of being granted refugee status.

As Chbat Marianne (2011) claims about the gay and lesbian Lebanese living in Montreal, human beings cannot be reduced to their sexuality. Identify themselves as homosexual, moreover, for these immigrants would mean referring to a Western identity framework, linked to consumerism and globalization. Some terms, such as gay, lesbian, bisexual, were born in the West, and are still associated with “white” people. For some, joining homosexual identity as it is experienced in the West may result in the loss of their cultural identity, thus dissolving into the mainstream white culture.

For all the above reasons, LGBTI foreigners prefer not to disclose their sexual orientation even in the host country, as shown by recent researches (Roy, 2012). If in the host country homosexuals consider coming out as a liberating act, many foreigners, for the reasons set out above, perceive this passage as unsuitable for social

and family relationships, thus choosing not to reveal their sexual orientation; which it is at odds with the dominant discourse forcing instead one to be visible.

Indeed we must remember that relations with the country of origin, in particular through the network of fellow countrymen, do not cease, and these not only act as forms of oppression and control, but also provide, in the context of migration, that set of resources needed to support the social and psychological costs of migration, as highlighted by the literature on ethnic social capital (Bertani, Di Nicola 2012). In fact, as some researches show, LGBTI foreigners who prefer living as “homosexuals” in the Western way are generally those who have migrated alone (compared to those who came with their families) and that in time have developed new relationships within the host community, but also those who enjoy a higher status from a financial perspective, which partially frees them from social control and addiction posed by their community of origin⁷.

The intersectional approach thus allows us to highlight when, within the migration context, people can openly live their sexual identity, and, on the contrary, under which conditions they are forced to hide this aspect. The option of being able to come out in some networks and omit it in others allows the actor to navigate through his different identities and preserve relations within the different networks in which he is involved⁸.

We must finally mention the researches on the social representations of sexual minorities such as, for example, those produced by the mass media (Bérubé, 2001) which show how within Western homosexual communities still persists stereotypical vision of foreigners: Asian gay men are usually depicted as effeminate, or black gay men as hypersexualized. The common point of these representations is the excess of femininity or masculinity, sensuality or aggression, sexual activity or passivity. An “excess” in relation to the standard of a young, gay, white, and middle class man as figurative embodiment of normative gay identity (Saucier e Caron, 2008).

7 For some migrants, achieving financial independence increases the financial dependency of their family of origin, that therefore tolerates better the non-normative sexual orientation of the family member (Manalansan 2003, Acosta, 2008).

8 A recent study on the status of foreign LGBTI citizens coming from the Maghreb countries highlighted that foreigners in the host countries go on living their sexual identity as they used to in their countries of origin. Given the opportunities in the host country, they use different identity strategies to live their homosexuality, distinguishing the relationships in which this is expressed from those in which it is an unspoken dimension (Masullo, 2015).

A detailed discussion deserves the research carried out by Oliver Roy (2012) on social representations of queer people in the context of Quebec, Canada. The scholar employs the definition of *ethno-sexual subject* and describes how the sexuality of migrants still highlights the persistence of a model of domination and alteration typical of the colonial era, emphasizing the allocation mechanisms of social identity used by Canadian society – even within the gay milieu – that follow essentialist visions of the ethnic and sex of migrants, that is of a social status considered inferior and undesirable. These views are applied in when considering the communities of origin of LGBTI migrants as “homophobic”, particularly those of individuals from Muslim countries. Migrants who share this ethnic, national, and religious origin are considered as carriers of this homophobic conservatism, which translates in terms of internalized homophobia. The task of the host society is thus to raise awareness in these immigrants by imposing a moral contract that will lead them to accept “common values” based on the rejection of homophobia, sexism, and the patriarchal culture identified in these nationalities, thus creating a process of exclusion of these people from the symbolic border of the nation, based on alleged and essentialized cultural criteria.

Roy's research (2012), proves to be ultimately interesting as it shows the risk that a minimization of racism happens within the gay milieu, which in the name of a “brotherhood” does not understand – as it happened for white feminism – that the issue of race and ethnicity, as well as the migration itself, affects the way LGBTI migrants live their sexual orientation (Hill, Collins, 2004). Ultimately, the danger is to consider the gay community as a single host community posing very little problems to LGBTI immigrants: the latter, excluded from their “homophobic” cultural communities are imagined as widely included in the LGBTI community, without considering that also within this universe thought of as “cohesive” stereotypical views of migrants and their cultures are produced and reproduced. These issues have recently come under scrutiny through a research carried out by Arcigay (2008) focused on LGBTI immigrants in Italy, that pointed out how even the gay community reproduces visions of migrants that somehow underline their “exotic”

character, mainly due to their skin colour, and the supposed cultural differences linked to their nationality and the worlds they belong to⁹.

4. The condition of LGBTI migrants in Italy: the case of asylum seekers

In this last section we will analyse the status of asylum seeker LGBTI foreigners in light of the theories now examined¹⁰ through what emerged from a research – still in progress – on the experiences of homosexual foreigners in Italy¹¹.

The goal is to describe the process ensuring in Western countries the opportunity to protect those who, in some areas of the world, are persecuted for their sexual orientation. This process is based on the recognition of a sexual identity which sees coming out as an imperative need and considers the host society as a context in which it is possible to live freely one's sexual orientation, as opposed to the countries from which migrants originate, whose legal and cultural systems repress gay people.

In retracing that path, through an approach both descriptive and interpretive at the same time, we will not only review the relevant literature (rather bare for what concerns the Italian one) but also give voice to the workers in LGBTI organizations and public officials engaged in ensuring migrants the recognition of this right (UNHCR) by analysing what kind of problems LGBTI foreigners face. The starting hypothesis is that while on the one hand this system allows for ensuring protection to LGBTI foreigners, on the other hand observation shows that it may in some cases create stereotypical images of the LGBTI migrant's country of origin's culture, as well as of his sexual orientation.

9 In this regard we wish to quote a very relevant excerpt from an interview to a black foreigner: «The fact of being both migrant and gay is as if you are something exotic, in my case, everyone is staring at you. My idea is that they see you as a very cute puppet with whom no one ever flirts. I have been here for two years and in the evenings no one ever asked me 'can I get you something?' Everyone wants to sleep with you. But the nice thing is, they look at you as something exotic, they want to approach you, get to know you and what you do, but only to sleep with you (BCB, Colombia)» (Arcigay, 2008, p. 59).

10 According to the Geneva Convention of 1951, ratified by Italy, anyone who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, unwilling to avail himself of the protection of that country. According to the legislative decree no. 251/2007 implementing the directive 2004/83/EC, art. 8, persecution on grounds of sexual orientation falls under the meaning of “particular social group”. For more details of the legislation please refer to the Guidelines on international protection n. 9 (UNHCR, 2012).

11 These reflections emerge from a wider research on the experiences of foreign homosexuals in Italy, in particular migrant males who come from certain areas of the Maghreb, namely Morocco and Tunisia. Among these experiences was considered also the condition of those applying for asylum in Italy on grounds of their sexual orientation. This has been described and analysed through the words of workers and professionals (results partially presented in this paper) and it is currently object of survey among the foreigners.

As we know, homosexuality is considered a crime in 76 countries, and in five of them (Saudi Arabia, Mauritania, Iran, Sudan and Yemen) it is punishable by death. Punishments range from denial of assembly, expression, and information, rights to imprisonment. In these countries countless cases of violence occur daily: aggression, torture (forced castrations, sexual mutilation), rapes and killings. The Inter-American Commission on Human Rights and the African Commission on Human and Peoples' Rights have on several occasions expressed their concern at the violation of human rights of homosexuals.

According to the data in the report "Fleeing Homophobia", each year 10,000 LGBTI foreigners apply for international protection for sexual orientation and gender identity in Europe, but the situation differs greatly between the northern European countries and those bordering the Mediterranean (Jansen, Spijkerboer, 2011). According to the Home Office data there were only 58 confirmed cases of asylum seekers in Italy between 2008 and 2009 (the only available data), of which only 29 have obtained refugee status or humanitarian protection.

In the hosting countries the LGBTI migrant normally faces more difficulties than other immigrants. Indeed, he often finds himself in a situation of double segregation: on the one hand xenophobia and racist prejudice, on the other those forms of intolerance related to sexual orientation. This is especially true in a country like Italy which, as known in the Amnesty International report of 2011, fails to ensure proper enforcement of the rights of asylum and where institutions do not undertake to protect victims of xenophobic and racist attacks, instead dealing with the immigration issue mainly in terms of safety (Magnarin, 2013).

According to both associations' workers and officials of the United Nations High Commission for Refugees (UNHCR), foreigners meet with various difficulties when trying to obtain recognition of this right. The first problem concerns a "dual recognition": on the one hand, the applicants' problems in considering themselves entitled to a specific protection as homosexuals, gays and lesbians, and, on the other, the inability of institutions charged with recognizing that right to be able to assess without prejudices if and when the stories and applications are true.

The first issue raised by operators concerns promptly informing foreigners about the right to asylum when on Italian territory¹². As the interviewee pointed out, hardly any asylum claim comes from government centres – CARAs and CIEs¹³. This suggests that asylum seekers housed in these centres do not feel safe and secure enough to declare their sexual orientation, because of fear of possible violent reactions of the other residents or that they do not know they are entitled to international protection as LGBTI individuals.

Countless problems are connected to this issue, and immigration workers reckon that merely informing immigrants of this right is not enough, because for some of them homophobia is often internalized and the shame and fear of being stigmatized both by their fellow countrymen and local people leads them to silence:

The important thing is that the person is somehow followed in submitting the application, so that he is able to express what happened in his country of origin. As we said, either for shame or fear, people often resist as a result of internalized homophobia, or simply because they do not know they can apply for international protection for sexual orientation and gender identity (Arci worker).

The question of recognition, according to professionals, is linked to the lack of awareness of one's sexual identity by some migrants from specific areas of the world where the homosexual condition is strongly suppressed, awareness upon which is based the credibility of the stories then recounted to the commission assessing the application:

The first obstacle encountered by applicants for international protection is that of clearly and coherently representing their situation, which is difficult for all applicants, particularly for LGBTI applicants because not necessarily that that person has completed the process of self-determination and self-recognition leading him to unambiguously express his sexual identity to the person interviewing him (Arci worker).

In any case, the difficulty does not concern the migrants' awareness of their sexual orientation, which is why they have been forced to leave their country, but rather their struggle in considering said sexual orientation in terms of identity, as a constitutive aspect

12 This emerges from the evidence gathered during a conference organized at the First Municipality of Rome entitled “Foreigners and Homosexuality”, March 12, 2015.

13 CARAs (reception centres for asylum seekers) are meant for a particular case of asylum seekers, namely those whose identity must be ascertained or who have attempted to avoid border controls, while CIEs (identification and expulsion centres) are meant for migrants in preparation for their expulsion (see Ambrosini, 2014).

of themselves through which they are socially identified, and to which a negative stigma is connected in their country of origin. For example, in countries with a predominantly Muslim religious orientation, the word “gay” does not exist, while in Western countries it indicates the situation of a sexual minority entitled – despite countless problems – to some protections and recognition (Rebucini, 2013)¹⁴.

Not infrequently, this inability to express their feelings lead to a rejection of the application from the board charged to verify the claims. As a professional points out, the migrant often reaches this awareness during the reassessment of the – previously rejected – application, thanks also to the mediation provided by volunteer associations:

In some cases this process of empowerment of their sexual identity happens in time, during the reassessment of the applicant's situation, that the migrant discovers his sexual identity not as something to be ashamed of or to repress, but as something connected to rights and forms of protection (UNAR worker).

This resistance is explained by experts in terms of psychological resistance, as the residue of internalized homophobia, but not also as a resistance to a Western “gaylifestyle” model which is in turn stereotyped in the eyes of foreigners and that is centred / focused on visibility and militancy against the heteronormative system¹⁵:

There are asylum seekers who contact the associations because they express the desire to freely live their sexual identity, there are others who do not want anything to do with it and therefore just do not accept being contacted by these associations (ARCI worker).

In fact identity strategies of gay people can be diversified within the very Western society, since also the identity of the persons comprised within the acronym LGBTI are multiple and complex. Similarly we could thus have foreigners who do not think of their sexual orientation in terms of identity; for example, there are those who might live homosexuality only as a possible variation of heterosexual orientation; or those who

14 According to Rebucini (2013) erotic practices widespread, for example, among Maghreb men are defined through two distinct epistemologies: a 'local' one and one developed in a context of transnational movement. So we have on one side a part of the population (a minority) that defines non-normative sexual orientations by the dichotomy homosexuality/heterosexuality referring to a globalized identity epistemology; and on the other a majority of the population using a local epistemology 'gender system/erotic practices' not colliding with a certain construction of hegemonic masculinity founded on marriage and procreation.

15 In some African countries is very widespread the idea that homosexuality is a disease introduced by Europeans, a remnant of the colonial past. Therefore, the homosexual condition is generally associated with a derogatory and stereotypical conception of Western lifestyles (McClintock, 1995).

consider it as one of many aspects of the self, or who considers it as strictly private, or in certain specific relational contexts (Masullo, 2015). However, at least for some, obtaining refugee status means accepting an identity that in both the individual and collective imaginary can be perceived as a “cumbersome” label, to which they do not feel they belong, because this label implies also the representations of LGBTI citizens of Western countries, whose lifestyles are not completely embraced, as it is believed, without a process of “criticization”.

It could also happen that the migrant in the host country chooses to live, for the reasons mentioned above, like he did in his country of origin. We must not forget the persisting sense of attachment to their origins, in addition to the fact that networks of fellow countrymen can be a strong deterrent to live freely, as explained in the previous section. In some cases, therefore, it can be assumed that the status acquired becomes just a means to obtain the right to asylum, but does not always translate into adherence to a homosexual identity model based on visibility and freedom of expression, also because the immigrants themselves often consider the host society, as the case of Italy, as not always particularly open to homosexuals.

With regard to the problems posed by the hearings at the Local Commissions for the recognition of international protection, not only there are no common standards between European countries, but more generally the timing of the hearing often imply quick judgements on complex situations, encouraging the use of stereotypes and biases in assessing the credibility of the stories. In many cases, national authorities' assessment of LGBTI people's asylum applications are based on stereotypes, with the effect of excluding, for example, lesbians not showing masculine attitudes, non-effeminate gays or LGBTI applicants who have been married or have been married or have children. This issue reveals the power that some stereotypes still have to structure ways to imagine and relate to sexual diversity

We must not think through stereotypes, the fact, for example, that the person has children or is married is not in itself an element that determines the denial of the application or the lack of credibility, this because very often especially, in the case of lesbians, women can be forced to marry or to submit to what are the expectations of the social context in which they live (UNHCR worker).

The board members must then assess the applicant's credibility on the basis of his testimony alone; however, for the reasons already mentioned, LGBTI people find it difficult to explain their condition of oppression before the commission¹⁶. There are situations in which the board – especially for reviews – asks to verify the alleged homosexuality by means of expert psychologists or psychiatrists, to whose opinions the very foreigners ask to be submitted. This partly reinforces the idea that some migrants “instrumentally” embrace a concept of homosexual sexual identity as “conceived” by locals in order to obtain the recognition of refugee status.

The judges, not all of them, privately require the lawyer to produce a psychological certification as evidence to support the credibility of the asylum seeker. We have presented some psychological reports where the psychologist did not mention the applicant's homosexuality, and in some cases the documentation was not right. It is often the applicant that says, if needed, I ask my psychologist (UNCHR worker).

5. Conclusions

Through these first fieldwork data on the condition of foreign LGBTI asylum seekers, we have tried to contextualize the problem highlighted by a theoretical perspective that tries to combine queer studies and migration studies: on the of queer theory side, the perspective of migration studies opens a reflection on other cultures, while before the research was oriented only towards considering the problems of the LGBTI Western population; on the side of migration studies we find a heterosexist orientation in the categories with which we study the migration, allowing for a wider understanding of the instances of those posing the question of recognition of gender identity and sexual orientation as one of the reasons behind migration.

The theoretical approach adopted here forces us to consider how attempts at stereotyped reading of the migrant's culture and sexual orientation can be reproduced through the protection mechanisms implemented for the recognition of refugee status, thus carrying on a dual process of stigmatization of both his origins and sexual

¹⁶ Precisely because of these difficulties, some recent UNCHR provisions state that the commissioners should focus not on ascertaining the applicant's homosexuality – as it often happens – but should instead consider the experiences related to the way in which the sexual identity and orientation has been the object of persecution in his country of origin.

orientation. The perspective crossing postcolonial studies and intersectional theory – here examined – therefore aims at overcoming the ethnocentrism still lingering in the ways of considering the experiences of the foreigner and his belongings, that sees our social and cultural system as “open” and “advanced” while the society from which he comes, such as the Islamic society, still appear on certain issues “backward” and intolerant. Even concerning the procedure of recognition of the right of asylum, we have seen how some foreigners are struggling to express their own experience, as well as to identify themselves through the definitions of the host society.

The main problem caused by this process is based on the recognition by the foreigner of a sexual identity that sees coming out as an imperative need. A complex issue, because recognizing oneself as “gay” is not an easy task for foreigners. This difficulty is attributed by workers and volunteers to acceptance problems as a result of internalized homophobia. However, they do not mention the way of understanding and living homosexuality in the countries of origin, which in certain contexts is not considered as an identity issue. In this sense we can say that the way of living and experiencing their sexual identity by LGBTI foreigners is also a way to express the degree of proximity/distance to the prevailing models and lifestyles in the country of immigration, which are not always shared and legitimized.

As it resulted from the interviews with the operators, the applications are often rejected because the foreigner fails to produce a description of his condition which coincides with a stereotypical view of homosexuality

If the word “gay” does not exist in some countries, we must find a common and shared vocabulary to help foreign people develop self-awareness in terms of their culture of origin rather than of the host society.

For we must also take into account how the references of the society of origin guide the management of this part of the self even in the country of immigration, according to a logic of continuity rather than contrast, an aspect which can be well evaluated within a perspective of queer migration studies such as the one proposed here.

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